

1 LAURA E. DUFFY  
United States Attorney  
2 DIANNE M. SCHWEINER  
Assistant U.S. Attorney  
3 Cal. State Bar No. 188013  
Office of the U.S. Attorney  
4 880 Front Street, Room 6293  
San Diego, CA 92101-8893  
5 Telephone: (619) 546-7654  
Facsimile: (619) 546-7751  
6 Email: [dianne.schweiner@usdoj.gov](mailto:dianne.schweiner@usdoj.gov)

7 Attorneys for Defendants  
8  
9  
10

11 UNITED STATES DISTRICT COURT  
12 SOUTHERN DISTRICT OF CALIFORNIA  
13

14 DENNIS MOORE,

15 Plaintiff,

16 vs.

17 SUSAN TSUI GRUNDMANN,  
Chairman, U.S. Merit Systems Protection  
18 Board; ANNE M. WAGNER, Vice-  
Chairman, U.S. Merit Systems Protection  
19 Board; WILLIAM D. SPENCER, Clerk,  
U.S. Merit Systems Protection Board;  
20 BERNARD PARKER, Information  
Management Specialist, U.S. Merit  
21 Systems Protection Board,

22 Defendants.  
23  
24

Case No.: 11cv1570-GPC (MDD)

NOTICE REGARDING DEFENDANT'S  
RESPONSE TO PLAINTIFF'S THIRD  
AMENDED COMPLAINT

CTRM: 2D (Schwartz)  
JUDGE: Hon. Gonzalo P. Curiel

25 Defendants hereby submit that in light of Plaintiff's appeal to the Ninth Circuit of  
26 the Court's Order granting Defendants' Extension of Time to Answer Plaintiff's Third  
27 Amended Complaint, Defendants will wait for the resolution of that appeal before filing  
28

1 their motion to dismiss. Defendants reserve their right to file a motion to dismiss once  
2 Plaintiff's appeal is resolved.

3  
4 DATED: August 1, 2014

Respectfully submitted,

5 LAURA E. DUFFY  
6 United States Attorney

7 *s/ Dianne M. Schweiner*  
8 DIANNE M. SCHWEINER  
9 Assistant United States Attorney  
10 Attorneys for Defendants  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28